

DETAILED ACTION

The examiner for your application in the USPTO has changed. Examiner Abigail Fisher can be reached at 571-270-3502.

Receipt of Amendments and Remarks filed on January 22 2008 is acknowledged. Claim 32 was cancelled. Claims 17-31 are pending. Claims 20-28 and 30 are withdrawn as being directed to a non-elected invention. Claims 17-19, 29 and 31 are directed to the elected invention.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on January 22 2008 was filed after the mailing date of the final Office action on August 22 2008. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Withdrawn Rejections

The rejection of claim 32 under 35 USC 112, first paragraph, as failing to comply with the enablement requirement is moot in light of Applicant's cancellation of the claim in the reply filed on January 22 2008.

The rejection of claim 32 under 35 USC 101 because the claimed invention lacks patentable utility is moot in light of Applicant's cancellation of the claim in the reply filed on January 22 2008.

Allowable Subject Matter

The indicated allowability of claim 17 is withdrawn in view of the newly discovered reference(s) to Anderskewitz et al. Rejections based on the newly cited reference(s) follow.

Claims 18-19, 29, and 31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 17 is rejected under 35 U.S.C. 102(b) as being anticipated by Anderskewitz et al. (WO 97/216760).

Regarding the PCT to Anderskewitz et al., US Patent No. 6127423 is being utilized as an English equivalent of the PCT and therefore all column and line indications will refer to the US patent.

The instant application claims a method for treating Alzheimer's disease in a subject in need of treatment thereof, the method comprising administering to the subject a therapeutic amount of an amidine compound or a pharmaceutically acceptable salt thereof.

Anderskewitz et al. is directed to phenylamidine derivatives and their use as medicaments. Specific amidine species are listed in columns 11-47. It is claimed that these amidine compounds are utilized in a method for the therapeutic treatment of diseases such as Alzheimer's disease comprising administering these compound to a host in need of such treatment (claim 30).

Conclusion

No claims are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ABIGAIL FISHER whose telephone number is (571)270-3502. The examiner can normally be reached on M-Th 9am-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Johann Richter can be reached on 571-272-0646. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Abigail Fisher
Examiner
Art Unit 1616

AF

/Johann R. Richter/

Supervisory Patent Examiner, Art Unit 1616